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# FIRE PIT CODES

## *City of Hickman Municipal Code Book*

Ordinance No. 2012-10 – Adopted May 22, 2012

### **CHAPTER 8 – FIRE REGULATIONS**

#### **SECTION 8-114: FIRES REGULATED; OUTDOOR FIREPLACES**

“**Outdoor fireplaces**” shall include fire pits, portable fire pits, and chimineas. These residential outdoor fireplaces use wood as a fuel and are used for containing recreational fires located at a private residence for the purpose of outdoor cooking and personal enjoyment. Outdoor fireplaces do not include barbeque grills that use propane or charcoal as a fuel and are used primarily for outdoor cooking. “**Portable fire pits**” are defined as being commercially designed and intended to confine and control outdoor wood fires. “**Chimineas**” are defined as outdoor patio fireplaces, usually made from clay, intended to confine and control outdoor wood fires. “**Fire pits**” are usually constructed of steel, concrete and/or stone, and constructed above ground with a heavy steel screen cover.



#### **ALL OUTDOOR FIREPLACES SHALL MEET THE FOLLOWING REQUIREMENTS:**

- A. **Clearances.** A minimum 10-foot clearance shall be maintained between the outdoor fireplace and property lines, combustible structures or materials such as, walls, roofs, fences, decks, wood piles and other combustible material.
- B. **Construction.** Outdoor fireplaces shall be constructed of concrete or approved non-combustible materials. The fire fuel area and openings shall be completely enclosed by a steel screening (spark guard) or an approved non-combustible screening material with openings no greater than one-half inch square. Vent stacks, chimneys, and chimineas shall have a steel screen cover made of heavy wire mesh or other non-combustible material with openings no greater larger than one-half inch square. Not permitted are barrels, half-barrels, drums or similarly constructed devices.
- C. **Size.** The fuel area for a fire pit shall not be larger than 3 feet in diameter and two feet in height.

D. **Location.** Outdoor fireplaces shall be placed on a stable non-combustible surface such as a concrete pad and only at grade level. Outdoor fireplaces shall not be located on combustible balconies or decks and shall not be located under any combustible balcony or any overhanging portion of a structure.



E. **Type of Materials Being Burnt.** Materials allowed by this section shall be limited to untreated wood or approved fireplace starter logs. Petroleum products, rubbish, grass, leaves, cardboard, plastics, rubber or any material that may flow out of the containment or cause excessive heat, smoke, or offensive smell shall not be permitted.

F. **Amount of Materials Being Burnt.** Users must (1) limit the amount of material being burnt to ensure the flames are confined inside the fuel area of the outdoor fire-place and the flames do not extend above the pit or into the chimney, and (2) follow the manufacturer's recommendation on the maximum amount of fuel to be used at one time with spark guard in place.

G. **Supervision.** Outdoor fireplaces shall be under constant supervision by at least one responsible person of age 18 or older from the ignition of the fire until the fire is completely extinguished and embers are cooled so as to prohibit the fire from rekindling.

H. **Provisions for Protection.** A garden hose connected to a water supply or other approved fire extinguishing equipment shall be readily available for use.

I. **Wind and Weather Conditions.** Outdoor fireplaces shall be completely extinguished and/or not be operated when winds are blowing over 10 mph and wind direction will cause smoke, embers, or other burning materials to be carried by the wind toward any building or other combustible materials. Outdoor fireplaces shall not be operated when weather conditions are extremely dry.

J. **Maintenance.** The owner is responsible to ensure proper maintenance and care is accomplished in accordance with manufacturer's instructions. At the minimum, the outdoor fireplace will be checked regularly for the appearance of cracks and other physical deterioration or loose parts.

K. **Discontinuance.** Smoke from any outdoor fireplace shall not create a nuisance for neighboring property owners. The fire shall be extinguished immediately upon the complaint of the neighboring property owner of any smoke nuisance. The fire chief or an authorized representative has the authority to require outdoor fireplace use to be immediately discontinued if such use is determined to constitute a hazardous condition to occupants of surrounding property.

L. **Hours of Operation.** An outdoor fireplace shall be completely extinguished and embers cooled prior to 11:59 p.m. so as to prohibit the fire from rekindling.

(Neb. Rev. Stat. §17-549, 17-556, 81-520.01) (Ord. No. 2012-10, 5/22/12)

#### **SECTION 8-115: VIOLATION NOTICE.**

It shall be the duty of the owner, lessee, or occupant of any building or structure that was lawfully inspected as herein prescribed, and who receives written or verbal notice of a violation of any of the provisions of the city ordinances, to correct the condition with-in five days of the date of receipt of such notice.

**GAS FIRE PIT PERMIT AND INSPECTION REQUIRED FOR INSTALLATION.** A Fuel Gas Permit will be required as well as an Outdoor Fire Pit Fuel Gas Piping Inspection performed by the City of Hickman's Plumbing Inspector.